## REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Claims 12-14 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 12-14 have been amended and fully comply with the requirements under Section 112. Withdrawal of the rejection of these claims is earnestly solicited.

Claims 1, 2 and 3 are directed to a hydraulic brake device having a combination of features, including a hydraulic pressure source, first and second proportional solenoid valves and a controller for controlling the first and second valves. With regard to the claimed controller and valves, each of these claims state that:

each of the first and second proportional solenoid valves is of the type in which the degree of valve openness is adjustable between a closed position and a plurality of open positions of different degrees of openness, and

the controller is capable of individually adjusting the degrees of openness of the first and second proportional solenoid valves to required levels between their fully open and fully closed positions to adjust the wheel cylinder pressure to a required level.

Claims 1 and 3 also recite that the controller applies a control current to each of the first and second proportional solenoid valves to control the differential pressure between the upstream hydraulic pressure and the downstream hydraulic pressure of each of said first and second proportional solenoid valves to a value corresponding to the applied control current.

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) in view of Ota. Applicants respectfully request withdrawal of this rejection in view of the following remarks.

According to the Official Action, Claims 1 and 3 are anticipated by Ota because Ota's master cylinder (MC) and reservoir (RS) constitute a hydraulic pressure source. Claims 1 and 3 recite that the hydraulic pressure source generates and outputs a predetermined hydraulic pressure and comprises a power-driven pump for producing hydraulic pressure and a pressure accumulator for accumulating hydraulic pressure produced by the pump. Ota's master cylinder (MC) and reservoir (RS) do not include a power-driven pump for producing hydraulic pressure and a pressure accumulator for accumulating hydraulic pressure produced by the pump. Ota's master cylinder (MC) is operated by depression of a brake pedal, not a power-driven pump, and Ota's reservoir (RS) is not an accumulator that accumulates pressure produced by a pump. See e.g., col. 8, lines 21-35. For at least this reason, Claims 1 and 3 are not anticipated by Ota.

As best understood, Ota's disclosed solenoid valves STR and SA3 and the ECU are interpreted in the Official Action as corresponding to the first proportional solenoid valve, second proportional solenoid valve and controller, respectively, in Claims 1-3. Ota's solenoid valves STR and SA3 are described as "two-port two-position solenoid operated" valves. See col. 8, line 64 through col. 9, line 6 and col. 9, lines 41-43. Hence, the valves STR and SA3 are only capable of being positioned in a fully closed position or a fully open position, i.e., they are two position valves. As noted above, Claims 1, 2 and 3 recite that the first and second solenoid valves are of the type in which the degree of valve openness is adjustable between a closed position and a plurality of open positions of different degrees of openness. Ota's

solenoid valves do not operate, and cannot be operated, with a degree of valve openness that is adjustable between a closed position and a plurality of open positions of different degrees of openness as claimed, at least because Ota only discloses a two position valve type. It is thus unreasonable to take the position that Ota's two position valves STR and SA3 correspond to the claimed proportional solenoid vales. For at least this reason, Ota cannot anticipate Claims 1, 2 or 3.

Claims 1, 2 and 3 are also not anticipated because Ota's ECU, or generally any operational mode associated with Ota's solenoid valves, do not correspond to the controller recited in Claims 1-3. As noted above, Claims 1-3 set forth that the controller individually adjusts the degrees of openness of the first and second proportional solenoid valves to required levels between their fully open and fully closed positions to adjust the wheel cylinder pressure to a required level. Claims 1 and 3 additionally recite that the controller applies a control current to each of the first and second proportional solenoid valves to control the differential pressure between the upstream hydraulic pressure and the downstream hydraulic pressure of each of said first and second proportional solenoid valves to a value corresponding to the applied control current. Throughout Ota's disclosure, the operation of the solenoid valves is limited to placing the valves in either a fully opened or fully closed position. Nowhere does Ota teach or suggest a controller that adjusts the degrees of openness of a first and second proportional solenoid valve to required levels between their fully open and fully closed positions to adjust the wheel cylinder pressure to a required level (Claims 1-3) or that applies a control current to each of the first and second proportional solenoid valves to control the differential pressure between the upstream hydraulic pressure and the downstream hydraulic pressure of

each of said first and second proportional solenoid valves to a value corresponding to the applied control current (Claims 1 and 3). Therefore, for at least this additional reason, Ota cannot anticipate Claims 1-3.

For at least the above reasons, Applicants respectfully request that the rejections of Claims 1-3 be withdrawn and these claims allowed.

Applicants' note the comment at col. 9, lines 8-10 of Ota that a proportioning valve may be provided on the passage MR upstream of the solenoid valve SA3. However, there is no suggestion that a second proportioning valve should also be placed in series with valve STR, or that the ECU should be programmed, in the presence of the proportioning valve upstream of the valve SA3, to individually adjust the degree of openness of this and a second similar valve to required levels between their fully open and fully closed positions to adjust the wheel cylinder pressure to a required level (Claims 1-3), or that the ECU should apply a control current to each such valve to control the differential pressure between the upstream hydraulic pressure and the downstream hydraulic pressure to a value corresponding to the applied control current (Claims 1 and 3).

Claims 4-14 depend from allowable claims and recite additional features of the invention that further distinguish over the art. As these claims depend from allowable claims, it is not necessary at this time to point out these distinctions for purposes of establishing the patentability of these claims over the art. Withdrawal of the rejections of Claims 4-14 and allowance of these claims is earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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